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5-17-01  
MA

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PAUL TURPIN,

Petitioner

v.

IMMIGRATION and NATURALIZATION  
SERVICE,

Respondent

CIVIL NO.1:CV-01-0168

FILED  
HARRISBURG, PA

MAY 17 2001

MARY E. D'ANDREA, CLERK  
Per MA  
Deputy Clerk

ORDER

The court held an oral argument with counsel for the parties on May 16, 2001, to address Petitioner's equal protection argument regarding INA § 212(h), codified at 8 U.S.C. § 1182(h). At oral argument, counsel for Respondent indicated that Petitioner's past criminal history precludes him from seeking a § 212(h) waiver and, therefore, Petitioner lacks standing to present his equal protection argument. As a result, the court discontinued the oral argument to allow the parties to provide the court with briefing concerning the jurisdictional issue.

Accordingly, **IT IS HEREBY ORDERED THAT:**

- (1) Respondent shall supplement the record and submit an amended response to Petitioner's amended habeas petition no later than May 25, 2001.
- (2) Petitioner may file a reply brief no later than June 5, 2001.

  
SYLVIA H. RAMBO  
United States District Judge

Dated: May 17, 2001.

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

May 17, 2001

Re: 1:01-cv-00168 Turpin v. Immigration and Natu

True and correct copies of the attached were mailed by the clerk  
to the following:

Paul Turpin  
CTY-PIKE  
HC 8, Box 8601  
Hawley, PA 18428-8610

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Dulce Donovan, Esq.  
U.S. Attorney's Office  
228 Walnut Street,  
P.O. Box 11754  
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cc:		
Judge	(X )	( ) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	( )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	( )	
Federal Public Defender	( )	
Summons Issued	( )	with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	( )	with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen ( ) DA of County ( ) Respondents ( )
Bankruptcy Court	( )	

Other \_\_\_\_\_ ( )

MARY E. D'ANDREA, Clerk

DATE: May 17th, 2001

BY:   
Deputy Clerk